

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

RISHARDO LAWRENCE,

Plaintiff,

v.

GAVIN NEWSOM,

Defendant.

No. 2:22-CV-1975-WBS-DMC-P

ORDER

Plaintiff, a prisoner proceeding with retained counsel, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Defendant's motion, ECF No. 40, to vacate the hearing set for August 28, 2024, at 10:00 a.m., on Defendant's motion to dismiss and to submit the motion on the papers without oral argument.

Defendant filed his motion to dismiss on July 18, 2024. See ECF No. 39. Pursuant to either Local Rule 230(b), which requires opposition within 14 days after the motion is filed, or Local Rule 230(l), which requires opposition within 21 days after the motion is filed, the time for Plaintiff to file an opposition has expired. Accordingly, the Court will grant Defendant's motion to submit the matter on the papers without oral argument and vacate the August 28, 2024, hearing.

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Accordingly, IT IS HEREBY ORDERED as follows:

1. Defendant's motion, ECF No. 40, to vacate the August 28, 2024, hearing on Defendant's motion to dismiss is GRANTED.
2. The hearing set for August 28, 2024, at 10:00 a.m., before the undersigned in Redding, California, is VACATED.
3. Defendant's motion to dismiss, ECF No. 39, is SUBMITTED on the papers without oral argument.

Dated: August 12, 2024



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE